

In re Patent Application Serial No. 10/826,853
Thomas P. Foran

Page 2

AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

1-7. (Cancelled)

8. (Currently Amended) A vial comprising:

- a cylinder formed from a first material, the cylinder having a sidewall with an inner surface defining a cavity and an outer surface;
- a sleeve formed from a second material and being molded around and onto the outer surface of the cylinder ; and
- indicia positioned on the outer surface, the inner surface not being penetrated by the indicia and the indicia being bounded by the cylinder and the sleeve.

9. (Previously Presented) The vial of claim 8 wherein the first and second materials are acrylic.

10 - 11. (Cancelled)

12. (Previously Presented) The vial of claim 9 wherein the cylinder and the sleeve extend from a first end to a second end and the cavity is partially filled with a liquid to define a bubble, the cavity being sized to receive a first end closure at the first end and a second end closure at the second end.

13. (Cancelled)

In re Patent Application Serial No. 10/826,853
Thomas P. Foran

Page 3

14. (Previously Presented) The vial of claim 8 wherein the indicia is hot stamped onto the cylinder.

15. (Currently Amended) A vial comprising:

- a cylinder ~~comprised~~ of a first material ~~and~~ having a sidewall with an inner surface defining a cavity and an outer surface;
- a second material molded around and onto the outer surface of the cylinder to form an overmolded body; and
- the inner surface of the body being machined to form a cavity having a desired shape.

16. (Currently Amended) The vial of claim 15 wherein the first and second materials are the same acrylic material having a melting point and wherein the cylinder is solid and is maintained at a temperature less than the melting point while when the second material is molded around the cylinder.

17. (Previously Presented) The vial of claim 15 wherein the cylinder is molded and has an outer surface, at least one marker ring is embedded into the outer surface, the marker ring not extending through the inner surface, and the second material is molded around the marker ring such that the marker ring is enclosed between the first material and second material.

18. (Cancelled)

19. (Previously Presented) The vial of claim 15 wherein a bubble is positioned in the cavity by partially filling the cavity with a liquid and enclosing the cavity with an end closure.

20. (Previously Presented) The vial of claim 24 wherein the cavity is barrel-shaped.

In re Patent Application Serial No. 10/826,853
Thomas P. Foran

Page 4

21. (Previously Presented) The vial of claim 8 wherein the indicia is at least one marker ring.

22. (Currently Amended) The vial of claim 8 wherein the inner surface of the overmolded cylinder is machined to form a cavity having a desired shape.

23. (Previously Presented) The vial of claim 15 wherein the first material is polycarbonate and the second material is acrylic.

24. (Previously Presented) The vial of claim 17 wherein the cavity has a length and a longitudinal cross-section of the desired shape is curvilinear along the length.

25. (Previously Presented) The vial of claim 20 wherein the cavity has a maximum diameter and the at least one marker ring is two marker rings such that the maximum diameter is positioned equidistant between the marker rings.

26. (New) A vial comprising:

- a molded body of a first material having a sidewall extending between an inner surface defining a cavity and an outer surface, the sidewall being sufficiently thin to have been molded to form the cavity to have a desired shape; and
- a second material molded around and onto the outer surface of the body to reinforce the sidewall against breakage.

27. (New) The vial of claim 26 wherein the desired shape forms a barrel-shaped cavity.

28. (New) The vial of claim 26 wherein the body is a cylinder.

In re Patent Application Serial No. 10/826,853
Thomas P. Foran

Page 5

29. (New) The vial of claim 28 wherein at least one marker ring is embedded into the outer surface, the marker ring not extending through the inner surface, and the second material is molded around and onto the marker ring such that the marker ring is enclosed between the first material and the second material.